



**Testimony for the Senate Judicial Proceedings Committee
February 4, 2021**

SB 602 – Tort Claims Act – Limits on Liability

FAVORABLE

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The ACLU of Maryland supports SB 602, which would increase the limits on liability of a local government for tort claims committed by their employees to \$600,000 for an individual claim, and \$1,200,000 for total claims. It would increase the state tort claim cap to \$600,000.

One of the fundamental protections against abuses of power is the right to obtain redress when wronged. However, the cap on tort claims has shielded jurisdictions that have escaped liability and avoided responsibility for wrongdoing. This low level of financial liability empowers jurisdictions to ignore repeated violations, and there is simply little deterrence for wrongdoing without a meaningful financial impact. SB 602 seeks to remedy this.

This bill is especially important amid the state and national reckoning on police reform, to help individuals and their families who have been harmed by police violence and misconduct, and send a powerful message to State and county officials that they must take seriously allegations of misconduct. Without the potential magnitude of a verdict in court, officials and their agencies have little incentive to take meaningful action and change abusive practices that result in harm. And there have been countless examples of officers across Maryland who have brutalized and violated people's rights, and been supported and promoted by their departments. There must be more incentive to change the culture of policing, and ensuring that those in power feel the financial constraint will take a strong step to compel them to change the culture of policing.

For the foregoing reasons, the ACLU of Maryland urges a favorable report on SB 602.